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Kes Bestae

STUDENT NEWSPAPER OF THE UNIVERSITY OF MICHIGAN LAW SCHOOL

October 28, 2003



Since 1950



Vol. 54 No. 5

Caught on Tape: Yale Kamisar Talks About End of Teaching Career

By Andy Daly and John Fedynsky

Have you had Kamisar? So goes the common follow-up when an alumnus finds out that you go to the Law School. Part legend and all character, Yale Kamisar is our Clarence Darrow Distinguished University Professor of Law. An expert on constitutional law in general and criminal procedure in particular, his course in the latter is a perennial favorite among students. He has been cited in at least 33 Supreme Court opinions beginning in the early 1960s, and not for just one seminal work, but for 19 articles, three casebook editions and one collection of essays.

Beyond the scholarship is his engaging teaching style, which some find fearful and others wildly entertaining and effective. There is the lore of the book-flinging episodes. "I was trying to make a point," explained Kamisar, noting that he was teaching criminal law and was on the case of the husband flinging a beer mug at his wife, who was holding a lit lamp. Alas, that teaching tool ended after Kamisar accidentally broke a student's eyeglasses. "I did pay for the glasses. It was the last time I threw the book." Though the specific method has changed, Kamisar still tries to, in his words, "mix it up" with his students. As his last semester of teaching at the Law School

nears its end, the RG sat down with Kamisar to mix it up one more time.

It's been rumored this is your final year of teaching. Is that true?

It's my final year of teaching at Michigan. I'm teaching in San Diego from January to May, but I'll be back in Ann Arbor from May until January. I'll go back as long as I can still do it. I'll still live in Ann Arbor, I'm not going to move to San Diego. I'll still live here, and still have an office here. Although not as big as the one I have now, since you lose your office when you retire. There'll be an auction and somebody will bid for it. How I'm going to get rid of all my stuff I don't know.

You've been here since 1965. How much have things changed since then?

It's much more of a national law school. When I first came here, you'd pick the top states most represented in the student body and it would be Michigan, Ohio, Illinois, Indiana. Today it's Michigan, New York, California, New Jersey. I was struck with the fact that there are fifty people from California in the first year class, and thirty from New York. So that's just one example, I think the students now go all over the country more than they used to. And I think in the 1960s we were very strong in Cleveland and Chicago,

now, more people go to Washington D.C., New York, Los Angeles, San Francisco, Dallas, Houston. So I think in terms of students coming in and leaving and where they go, it's much more of a national law school.

Has the character or the caliber of the students changed?

Obviously, they have more credentials and more impressive records, but frankly I don't see much difference in class. In fact, it seems to me, the student culture is such that few people volunteer. I get the feeling that students think they lose points with their classmates if they volunteer. I would say that preparation is not good. I stopped teaching first-year criminal law. I hated to give it up because, you know, the students were so eager and so well prepared. But I mean, today's an example. There's a first-year law student sitting in my class for the hell of it. They didn't tell me anything, but they told some other professors that they were just aghast that I called on four people who were not there. I called on four; the fifth person was unprepared. I realize that people are going all over the place, flying all over the place, and fall is a bad time to teach if you want preparation. And I thought about cracking down and saying if you're unprepared six times you lose a grade, or if you aren't there eight times

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ACS and BLSA Host Assault on Gun Violence

By Andy Daly

On Thursday October 23, the American Constitution Society and the Black Law Students Alliance welcomed Matt Nasunchuk to speak about gun control. Nasunchuk is the litigation director for the Violence Policy Center, a research and political lobbying organization based in Washington, D.C. Nasunchuk addressed this topic with a multimedia presentation which included a Powerpoint slide presentation outlining the views and goals of his organization's pro-gun control platform.

During his speech, Nasunchuk urged groups such as ACS and BLSA, along with Democrats in general to embrace the gun control issue. He discussed the contours of the constitutional debate over the 2nd Amendment. Nasunchuk pointed out that much criticism has been directed at gun control advocates for their perceived switch in their approach to individual versus state rights when interpreting the 2nd Amendment's "well-regulated militia" clause. He countered with the suggestion that this criticism goes in both directions. He argued that gun-control advocates have been notorious in their hyper-focus on the "right to bear arms" language of the amendment, citing to the NRA putting only this second half of the amendment on the side of a building.

Nasunchuk told students about a May 2001 letter from Attorney General John Ashcroft to the National Rifle Association supporting their cause. Of particular concern to Nasunchuk was the fact that the letter was on Department of Justice letterhead and cited "wildly selective scholarship" and made "dubious historical claims" in support of an individual right to bear arms. According to Nasunchuk, this position was in direct

conflict with the fifty-year long stated position of the DOJ on this issue.

The speaker also pointed to some judicial activism on the part of the 5th Circuit in an October 2001 case, *U.S. v. Miller*, in which the court, in dicta, recognized an individual right to bear arms, although the defendant in the case apparently did not have such a right.

Nasunchuk continued by attacking the academic support for gun control opponents, and outlining litigation efforts by the NAACP against gun manufacturers. He outlined how cases were brought and studies made likening gun violence to a public nuisance or a contagious disease.

He also expressed concern over the soon to expire federal assault weapons ban and urged that pressure should be applied to secure its extension.

Nasunchuk offered data to support the notion that all increases in the homicide rate from 1988 to 2000 can be attributed to gun violence. He also pointed to the fact that victims of gun violence are not only disproportionately black, but that black victims outnumber all others in absolute terms.

In conclusion, Nasunchuk pointed at the gun industry as primarily responsible for the problem of gun violence. He urged that they have not taken a reasonable or socially responsible approach to marketing their uniquely durable and lethal products.

Nasunchuk took student questions and clarified that his organization is not concerned with hunting or sport rifles, but wants to extend the federal ban on assault weapons and to eventually ban handguns.



Lecture on Academic Freedom Features Professor's Thoughts on Civil Liberties

By John Fedynsky

A fullhouse with a large proportion of guests and undergraduate students crowded into Honigman Auditorium on Monday, October 20, 2003 to hear David Cole, professor of law at Georgetown University, deliver the thirteenth annual Davis, Markert, Nickerson Lecture on Academic and Intellectual Freedom. The lecture is named after three University of Michigan professors who were persecuted during the McCarthy Era for refusing to cooperate with the House Un-American Activities Committee. The University dismissed two of the professors and suspended the other before reinstating him. H. Chandler Davis, the only surviving professor of the three and the only one to serve a federal prison sentence, was in attendance. He attends every year.

Cole is a constitutional expert and a critic of certain aspects of the Patriot Act. He has just released a book, *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terrorism*. One of the central conclusions of the book is that the rights of citizens are ultimately jeopardized by measures that are first only aimed at aliens. In her introductory remarks, University President Mary Sue Coleman recounted the story of Cole's recent book party, as reported in *The Washington Post*. Rather than throw a self-congratulatory affair, Cole invited Viet Dinh, a fellow faculty member at Georgetown and reputed architect of the Patriot Act, to a debate. Coleman congratulated Cole on his devotion to academic freedom and surmised that she could not imagine a better speaker for the event.

Cole said that he had three points to make. First, that America's anti-communist history is more relevant than ever. Second, that universities are a critical locus for questioning the government in

times of crisis. And finally, that the history of academic freedom at universities is mixed.

In fleshing out his first point, Cole reflected on his personal experience and how he grew up thinking that McCarthyism was history and, therefore, dead. But working at the Center for Constitutional Rights after law school taught Cole differently. He recounted his experience trying and appealing a deportation case in El Paso, Texas that bore striking similarities to the history he studied. According to Cole, the case of the L.A. Eight, a group of Palestinians detained in Los Angeles well before September 11, 2001, raised the question of whether fear of terrorism would replace fear of communism. In the advent of September 11, "we have seen many more troubling historical echoes," said Cole.

In particular, Cole compared contemporary times to the Red Scare of 1917-20. According to Cole, the Red Scare was a precursor to McCarthyism. More importantly, the government aimed its measures solely at foreign nationals, often using its plenary immigration power to detain and expel individuals for whom there was no probable cause to support criminal charges. For politicians, such measures are "an easy way to strike the balance [between liberty and security], because foreign nationals do not vote."

Looking at today, Cole reported that since September 11, over 5,000 foreign nationals have been detained. Only four were charged with crimes related to terrorism and only two of them were convicted. Many of the others swept up in what Cole called a "dragnet" were questioned and tried in secret for violating immigration laws.

Cole also analyzed government conduct involving detainees in Guantanamo Bay, Cuba and, more broadly, in the area of ethnic profiling. In light of its actions,

Cole concluded, "[w]hat the government does to foreign nationals virtually always gets extended to citizens." To illustrate, Cole referred to the doctrine of convicting citizens for being "enemy combatants" or for offering "material support" to terrorists. Cole asked, "how much further will the government go?"

Regarding his second point, Cole argued that in times of crisis separation of powers among the three branches of government simply does not work. The executive weighs the political cost of providing security and preventing future attack against protecting civil liberties and invariably chooses security. Congress is eager to appear responsive and delegates power to the executive by, for instance, passing the Patriot Act virtually unanimously without meaningfully debating it. And courts historically have refused to intervene.

In response, according to Cole, civil society must step up. Institutions of people, independent of the government, must take an active role. Cole argued that universities are particularly important for that purpose, especially now since many foreign nationals are affiliated with universities.

Finally, Cole took a historical look at universities' commitment to academic freedom and found a "mixed" record. He noted in particular the experience of World War I and of the Cold War, recognizing Professor Davis's struggle. Before taking questions, Cole noted "some encouraging signs" and opined, "we are at an early stage."

He asked, "[w]ill universities rise to the challenge . . . because it is the right thing to do, or will they sacrifice principle for pragmatism?" Though he would like to believe that America has learned from its mistakes, Cole concluded, "only time will tell."



Students Take Time Out in Dean's Corner

By Michael Murphy

Anearly full house greeted Dean Evan Caminker for his debut "Dean's Corner" talk last Monday.

The most prominent and time-consuming topic of discussion involved the Law School's stance on the Solomon Amendment and the pending litigation against it.

The Solomon amendment, passed in 1995, prevents colleges and universities that receive federal funds from denying the armed services access to any part of campus, access to students on the school's campus, and access to student recruiting information, even when the college or university prohibits access to employers who discriminate on the basis of sexual orientation.

Caminker said that the military's "Don't ask, Don't tell" policy inhibits

openly homosexual prospective applicants from joining.

According to the Law School Career Services "Recruiting at Michigan 2003-2004" brochure the law school's recruiting policy prohibits recruiting visits and other placement services from interviewers from employers whose hiring practices, "discriminate in recruitment or employment against any person because of race, color, national origin, ancestry, religion, creed, age, sex, marital status sexual orientation, handicap, or Vietnam-era veteran status."

An asterisk to this passage states that the policy applicable to sexual orientation does not apply to the United States Armed Services.

Caminker said that while the law school receives little direct aid from federal funding, that federal money is used for other school-related funding such as Stafford Loans.

A group of law schools including created the Forum for Academic and Institutional Rights (FAIR) and, with the Society of American Law Teachers (SALT) sued the U.S. Government in federal court in New Jersey last month on the grounds that the Solomon Amendment violated the First Amendment on the grounds that it violates free association and infringes upon academic freedom.

Law schools who have publicly announced their membership in FAIR include Golden Gate University Law School, Chicago-Kent College of Law, and the New York University School of Law.

Caminker said that because of the First Amendment nature of the suit, public law schools were not explicitly included in the suit. "The First Amendment was designed to protect the private individual from the government," he said. Michigan's status as a public school, he

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Werewolves as Friends: A Trip to Cedar Point

By Jana Kraschnewski

Many people went to ride the world's tallest and fastest roller coaster. I went for the werewolves. On Friday, Oct. 17 the Surf Club took its second annual roadtrip to Cedar Point Amusement Park, home of the Top Thrill Dragster. This amazing ride reaches speeds of 120 mph and a height of 400 feet. I would love to tell you about the thrill that comes with the rush of flying down the 85 degree spiral, but I doubt words could capture it. And I was too scared to get on it.

What I did do, instead, was take a trip to the Halloween weekend part of the park. Here, fog swamped every walkway and ghosts, witches, and goblins strolled about freely. A bit cheesy, but fortunately

my companion and I quickly found the bar. After a few drinks we were ready to take the cheesy factor to a whole new level. Joining up with some friends, we first went through the Haunted House which offered a few giggles but was not worth the half hour wait. We decided it was time for a roller coaster and started to leave the area. The fog was getting to us, anyway.

It was then, after abandoning our hopes of a good scare, that we stumbled upon Cedar Park's less-talked-about treasure: Werewolf Canyon. Like a bunch of lemmings, our group got in line, not knowing for what we were waiting. Soon, a park ranger explained that we were about to walk through a werewolf preserve where the animals had been newly re-introduced into the wild. The ranger

introduced us to Timber, one of the wolves who had attacked every ranger in the park at least once, as a warning to not provoke the beasts. Surprise of all surprises, as the ranger finished talking the lights went out and Timber escaped and began his scare. It was pretty much love at first sight. He immediately separated my female friends and me from the male/protector of our group. Helpless, I turned to my vocal chords. I am a screamer and werewolves apparently adore screamers. Despite my efforts to hide behind my friends, the wolves repeatedly found me. My screams (intermingled with giggles) rang continuously from the walls of the canyon. To make the love story come full circle, Timber came to me through the fog one last time near

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Identity Theft and Financial Aid: Should You Be Worried?

By Sara Klettke MacWilliams

Law students are easy targets. A quick run through campus usually yields an unattended laptop or textbook. But much more than your laptop and \$100 textbooks is at risk.

Inside the Financial Aid Office (FAO), all the information a thief needs to apply for credit in a student's name, which can potentially ruin a student's credit history and saddle the student with debt, sits organized and ready to be stolen. Access Group warns that "identity theft is one of the nation's fastest growing financial problems and on the rise," but most students simply assume the University is doing all it can to ensure security. Should students trust the law school to provide protection?

The FAO contains locked file cabinets containing all the financial records, including tax returns of students, spouses and parents, of every student on campus. Federal law mandates that records be kept for seven years after students graduate. This means in practice that all records are moved from the FAO to a locked room on the fourth floor, where they sit in boxes.

Near deadlines, the FAO is swamped with 1000's of financial documents. The office immediately records everything it receives in a computer and then moves the documents to a box to be filed. However, some documents are bound to get lost. The FAO tends to hold immense power over law students - without the Office's help, most students are powerless to pay tuition. Thus, when FAO loses records, most students do not bother complaining or debating whether to turn over the requested documents.

Katherine Gottschalk, Assistant Dean for the FAO, believes the office strikes a careful balance between efficiency and protection. She explains that not many

documents end up missing, and most missing documents turn out to have been misfiled, not floating around a recycling bin or stolen.

Only employees of the FAO have access to the records - which is security assuming one trusts everyone in the office. The FAO has five full time employees and employs undergraduate work-study students. All FAO employees sign confidentiality agreements and have confidentiality training. Should students worry about FAO employees with sticky fingers using information to take out credit cards?

"If we truly had a dishonest person who was working here (theoretically we check references)," Gottschalk admits, "theoretically someone could do that. We do have a lot of confidential information here. But in [my] almost 20 years here, that has never happened." Other than office employees, the only people who have access to the records are FBI agents who, after getting a release from applicants, check files of people applying for security jobs.

Gottschalk is also not aware of any difficulties with unauthorized people sneaking into the FAO to get access to records. She recounts one story of a potential thief several years ago. The would-be thief apparently thought that a Financial Aid Office has money in it, and he came in after hours and knocked over cabinets and broke glass in his search, but did not get away with any social security numbers.

Student information is not even released to a student's parents without student authorization. Gottschalk says that parents are sometimes frustrated when they want to check whether their child has paid tuition or not but are told by FAO employees that they have to obtain a release from their child before the office will release any information.

Likewise, students are not given information on their parents unless they have a signed release from their parents. Releases from parents are usually faxed in; releases from students are usually delivered in person, allowing the FAO to check student identification before authorizing any release of information.

What You Can Do to Protect Yourself

To a large degree, law students have to assume the FAO is being careful to protect our information. However, there are extra steps students can take to ensure credit cards and loans are not taken out in our name.

Request a Receipt

The FAO used to give receipts for all records. This way, if a document was later missing, both the FAO and the student were protected: if a student could show a receipt, the office was put on alert to watch for the missing document, and if the student claimed FAO lost the document, the FAO could show a receipt listing some documents but not others, which would presumably mean the missing document was never turned in.

Unfortunately, Gottschalk explains, students were more frustrated than appreciative of this practice. Students lost receipts, and extremely long lines formed outside the office near deadlines. The FAO is still willing to give receipts to anyone who requests them.

Black out Social Security Numbers of Parents and Spouses

The school needs your social security number to be clearly identifiable on your tax returns, but the FAO does not need to know your parents' or your spouse's social security numbers. Black these numbers out to protect your loved ones.

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An American in Oxford: What's History Got to Do With It Anyway?

By **Jessie Grodstein Kennedy**

The first person to graduate was the student who received his DCL—Doctorate of Civil Law. Apart from a few Asian faces, the twenty-something black man was one of the few minority students in the crowd of graduates. And as he stood before the three Proctors, whose balding white heads reflected light toward my seat in the audience, I thought about the difference between an Oxford University education and that offered by The University of Michigan Law School.¹

Donning his traditional academic dress and mortarboard cap, the Vice-Chancellor rose to greet the audience of family, friends and students. Addressing the value of education in his introductory remarks, Sir Colin Lucas stated that true value of education is its ability to foster diversity, and that this element—that is, diversity—is a key component of an Oxford education.² Immediately attuned to the catchphrase of viewpoint diversity, I couldn't help but wonder whether the views of those few minority students in the crowd had enabled a broader understanding of cultural differences. By my count, only twenty-six of the graduates had names indicating a family history which began somewhere outside Great Britain (most names were along the lines of "Owen Timothy Summerscales" or "Emma Louise Charlesworths").

Can diversity exist without some of the obvious indicators of background—namely, skin color? And further, is diversity what education is really about?

With its nine hundred years of history, Oxford is undoubtedly accomplished in the field of educating future world leaders. Graduating 21 Nobel Prize-award winning minds is a fantastic accomplishment. Further, the school counts among its esteemed alumni Sir Christopher

Wren, England's most famous architect and a former astronomy student, Robert Hook, inventor and renowned scientific mind, and—in more recent history—the philosopher and author Dame Iris Murdoch.

At the same time, based on their remarks at the graduation ceremony, the deans of Oxford appear amazingly unaware of the recent advances in societal heterogeneity. The key components of prestige in Oxford seem to be wealth and age, factors that favor white British men. But one no longer expects to have an entirely male and entirely white population of businessmen, lawyers, scientists, doctors etc. In fact, a large number of physicians in the United Kingdom are of Southeast Asian descent.

To be sure, some colleges housed under the Oxford University umbrella cater to certain minority students—namely St. Hilda's college, which educates only women. But this college does not have the same stature as, for example, Christchurch College, which was founded by Henry VIII in 1546. However, as representatives of the less fortunate sectors of the population, women are clearly most assimilated into the cadre of Oxford elite. There were a handful of female deans at the graduation, grey-haired women who spoke the traditional Latin phrases that were part of the ceremony.³ But every last dean was white.

What do these facts mean? Does Oxford's overwhelming white-ness inhibit the "quest for truth" which the Vice-Chancellor declared to be the ultimate objective of education? In his opinion, although each generation has arrived at its own definition of truth, the objective—from the University's perspective—has remained the same over its history. To sharpen its students' ability to reach this truth has been Oxford's longstanding aim. So how can the University of Michigan, founded in 1817, hope to compare?

Perhaps—just perhaps—the answer is that "truth" is not what ultimately matters most in the educational context. What really matters is the educated classes' ability to communicate effectively and to understand each other's differences, so that these differences no longer prevent the exchange of ideas. The University of Michigan Law School, a mere baby in comparison to Oxford's wizened senior citizen, attempts to effectively integrate its student body *in the present*. And, although it is admittedly still far from perfect, I must admit that U of M appears a lot closer to achieving this end than its counterpart across the pond.

¹ For explanation, the Oxford graduation involves an elaborate and historic ceremony in which participants are seated, wearing full academic dress according to their status in the University. At the start of the ceremony, the Vice Chancellor enters, preceded by the Bedels (your guess is as good as mine on that one) and followed by the Proctors and the Registrar.

² The Vice-Chancellor is also known as the Senior Proctor who, apparently, has nothing to do with monitoring exams.

³ The Vice-Chancellor makes an introductory speech in English, and then conducts the rest of the ceremony in Latin.



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She May Have Stolen Your Soul, But My Jacket's Missing

By Michael Murphy

The law quad may look like a fortress, but it is not an island. It's easy to forget that a crapload of other students actually go to this school (unless you try to grab a sandwich from Subway in the Union at noon, in which case you'll see most of them ahead of you in line). So, I've spent the last week or so trying to connect with the kids.

(Note: The majority of law student interaction with the rest of the university comes from 1L and 2L men trying to "connect" with undergraduate women. While I have no problem with that whatsoever, I'm talking about something more above-ground, if you follow).

So I've started eating lunch in the Union's food court, which is a great place to eat if you're not into sunlight. Last week, these undergrad guys in a booth behind me were talking, so I listened in. One guy was telling a story, and you could tell by his tone of voice that he's not exactly James Bond. His story backed it up. He said things like "yeah, I had my soul ripped out, and I died" and "she really took me out of the game completely, so I just sat there looking stupid for the rest of the night." Damn. He was scooping out his heart like that to his buddies in the middle of the food court, and I felt for him. It was like a Dashboard Confessional or John Mayer song come horribly to life. It was the scene in "Swingers" where Mike calls the girl he just met six times right after he gets home.

Mortified, I wanted to say something. I wanted to offer up some support and condolences. Yes, it's meddling and yes, it's not what he wants to hear, but I can't let a fellow guy drown in Lake Self-Pity without throwing him a life preserver of It's Going to Be Okay.

I'm thinking of exactly what to say, and

I start to turn around. Exactly then, I realized that he was talking about a *freaking role playing game*. Yeah, like Dungeons and Dragons. His character in the game had its soul ripped out, literally, and he had to sit there for the rest of the *gaming session* doing nothing (since his character had no soul and was thus no longer a 5th-level wizard/paladin). Now I had fully turned around to face these guys, they were all looking at me, and somehow, despite all of the overwhelming circumstances to the contrary, I was the weirdo in this situation.

What did I do? My duty. I beat the tar out of the guy and took his lunch money. Freaking nerd.

Then four people walked by with my jacket on.

Here's the deal; I needed a new jacket, 'cause the old one didn't fit and winter started in October this year.

So I got this North Face one. I decided it was important to pay as much as I possibly could for a coat that wasn't just warm, but cool. Here's the coat's description, from the North Face web site: "Warm, lightweight and compressible. The ideal all-around mountaineering fleece piece, this jacket is as good as it gets. The Denali zips perfectly into our shell jackets, letting you create the ultimate layering system. 2-ply Supplex® nylon abrasion resistant fabric on elbows and upper body increases durability when you're carrying a pack."

Translation: "We at North Face put so much outdoorsy sounding crap in this bad boy that it's going to cost you at least \$165 to take it home. Sucker." I went with this coat because I felt I needed something for the times when I go "all-around mountaineering," and I wasn't about to settle for anything less than the "ultimate" layering system. Also, given the price of the jacket, it was evidently hand-

made by expert craftsmen on Mars out of the finest silk (which they call 'polyester' in an obvious label misprint) and transported on foot from El Salvador right to the Trendy Outdoor Store.

Look for it. It's a North Face Denali jacket, black on black. There's a logo on the top right and on the back right shoulder. It's got a fleece-like body and sleeves, and vinyl on the chest and elbow pads. It's on display in the window of Trendy Outdoor Store, and the guy who sold it to me said it was "very popular."

No crap. At least one in ten Michigan students owns this exact jacket. If you're reading this article in a public place on campus, look up. There's a reasonable probability that this same jacket is on someone walking through your field of vision. If you personally are wearing this jacket as you read this column, e-mail us at rg@umich.edu.

A game: sit in a stationary position on the Diag or in a shop/restaurant looking out on the street. Count the black-on-black North Face Denali jackets you see. My record is seven – seven – in 5 minutes. Admittedly, this was at a football game. Still.

My first impression upon realizing that around 10% of the student body owned my jacket was shock. Shock, followed by an uplifting realization. I must be cool. I must be totally cool, so cool that dozens – hundreds – of other students are trying to look *just like me*. I told my friends this theory and was subsequently informed that my theory failed to hold water because I was not, in fact, cool. Of course, my friend who confirmed my uncoolness was wearing startlingly similar outerwear.

But hey, at least when I get my soul ripped out, it's by a real she-demon, not one from D&D.





Sports v. Memo, and State's Little Brother Syndrome

By Matt Nolan

The month of October is the hardest to get any work done. I figured once I got to law school it would be easier to focus on what is "important" and ignore all of the month's distractions – but I was wrong.

It began with the Cubs. My Cubs. Not only did they make it into the post season, they actually defeated the Atlanta Braves (going all five games), then went up three games to one against the now World Series Champion Florida Marlins! Then they lost game five...and then game 6 was ALMOST a win...and then they went UP in game 7, and still lost! My basic point about baseball is this – instead of winning in 3 and losing in 4 (for a total of seven games I'd watch rather than studying), the Cubs' postseason trip lasted 12 games with the exact same result – no World Series. Five extra games meant at least 20 hours extra of not writing my memo, not re-examining contracts, not getting the most for my \$28,000.

This was only the start of October's deathtrap for me. First and foremost is always Michigan Football, but the month's early loss to Iowa made me think that I might actually be able to watch on Saturdays only (rather than checking espn.com and collegefootballnews.com for updates every 2 hours during the week), but then two things happened. I should have seen it coming.

First, the Michigan defense magically came alive just at the breaking point, the end of the 3rd quarter against Minnesota – and coupled with the largest comeback win in school history (120+ years), I regained hope for the season. Still, Michigan did not control our own destiny...until OSU, Wisconsin, and Iowa all lost within the span of a week, putting the maize and blue back in the drivers' seat in the Big Ten. If we win out, we go to the Rose Bowl.

Now it's worse. Not only did we beat Purdue, we BEAT Purdue. Last weekend's drubbing over a top ten team was the most inspiring Michigan performance since the 2000 Orange Bowl. The team looked hungry. They didn't want a win against Purdue, they wanted to make a statement . . . and they did. I

Despite MSU's great record (7-1) however, has anyone else noticed the latent "kid brother syndrome" emanating from East Lansing again lately? It appears that defeating some cupcake schools and cleaning up Michigan's droppings (facing Iowa the week before



watched the game from the field of the Big House, and it was very apparent that the fans are hungry again as well – Purdue had one delay of game penalty and two called timeouts that could be directly attributed to the crowd's noise level. We realize that our lofty National Championship goals from the start of the season are practically dead, but have refocused with a vigor on winning out and claiming our first outright Big Ten Championship and Rose Bowl berth since 1997.

Saturday's showdown with Michigan State will be one of the biggest games in the series' history, with the two teams sitting atop the Big Ten standings and less than a handful of games remaining afterward.

big Blue and Minnesota the week after), MSU fans honestly, if misguidedly, believe the Green and White are better than Michigan's team.

Sarah Skilling, a 2000 MSU Alum, said "This Saturday, we get a chance to rest up and put together the perfect plan for games against the Wolverines, Buckeyes and Badgers. Out of those three games, I am most confident about the Spartans beating the Wolverines" in writing for the Lansing State Journal last week. Are you kidding me? This is the MSU mentality – they are the kid brother of Michigan, never quite as big, never quite as fast, always a step behind . . . and always trying to prove how much better they are.

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Will Work for Food: French Laundry Dreams and Taillevent Fantasies...

By the Ulterior Epicure

I open my chapters of anonymous writing by making one simple observation: lawyers are gluttons. Let's all admit it, the legal creature is plagued with numerous tendencies toward excess. The only thing remotely ascetic about the legal life is the three years of toil in law school.

It is no secret that immoderate greed for money and power are cardinal to the profession. Indeed, prone to indulge in and "sharkishly" profit off of scandal, misfortune and corruption, lawyers are known to shamelessly flaunt the surfeit derived from their privileges and social standing. However, despite the rather open nature of its professional excesses, privately, there exists a curiously obscured, yet deeply inherent indulgent attitude toward food within the legal culture that isn't often acknowledged.

I often wonder whether I entered the legal field in order to eat well. So obsessed am I with gastronomical pleasures that sadly, in bouts of procrastination I have found myself calculating the value of my work in terms of food. How many property cases would I brief for a fugu dinner prepared by Masaharu Morimoto? How many times would I take legal research again for a black truffle turnover at J  l Robuchon's Taillevent? What is the maximum number of Constitutional law cases I would read for an ounce of Osetra caviar, or a slice of foie gras, or a wheel of A.O.C. brie cheese? Or my favorite: how many sections of the UCC would I be willing to read in exchange for a dinner prepared by Thomas Keller at the French Laundry? I'd probably read the whole thing. Whereas the majority of my classmates would sell, or have sold their souls to large firms or corporations for the many material comforts that money affords, such as season tickets on the fifty-yard line, a brand new Hummer, or an apartment on the upper east side of Manhattan, I would readily prostitute my en-

tire career to simply satisfy my extravagant epicurean flights of fancy. You know it's getting bad when you consider taking bar exams in states based solely on the number of Michelin starred restaurants there. I might as well go into job interviews with a sign that says, "will work for food." Is this reckless abandon and sinful indulgence justified? Absolutely, for I know that I am not alone.

In fact, law is a hardy corps of passionate and elitist eaters. When it comes to food, the legal appetite is not just concerned with the amount. Rather, foremost, it is subject to eccentric ideals of perfectionism and excellence. While law students have an indiscriminate tendency to subsist on alcohol and caffeine for three years, the established "legal palette" is discriminate and does not appreciate in terms of quantity, rather, it demands quality. Simply put, lawyers are known for their gluttonous snobbery, or snobbish gluttony.

Indeed, it isn't surprising that some of the most famous gastronomes in Western history have been lawyers. Arguably the greatest of them all, the eighteenth century author of *The Physiology of Taste*, Jean-Anthelme Brillat-Savarin, reflected the high standard of "legal eating" when he said, "Tell me what you eat and I will tell you what you are." Among the many other notable legal gourmands are such prominent figures as Jeffrey Steingarten, current food editor of *Vogue*, Thomas Jefferson, who, among his many inventions created macaroni and cheese, and Clarissa Wright Dickson, the famous barrister-turned-chef who terrorized the British Isles on motorcycle with the late Jennifer Paterson as England's famous culinary duo, "The Two Fat Ladies."

Where does this appetite come from? Perhaps it isn't that the legal creature is inherently gluttonous toward food. Rather, it is the nature of their profession that affords them the advantages of good

eating. What with the ubiquitous need for attorneys, the legally trained have an amazing mobility, both socially and physically. It is their oft wealthy and advantaged patronages that have allowed their stomachs the fortune of "skimming the cream off the top" the world over. It isn't farfetched to suppose that the clientele's good tastes, refinement and high standards are adopted by legal professionals. Once acquainted with the ways of the rich and famous they represent and associate with, lawyers quickly learn how to elevate their eating habits and elevate them to further gluttonous heights. Hence, the lawyer is, "to the manor, borne."

In the most cynical reading possible, lawyers are scavengers. They are, by nature, bottom feeders. But the evolution of society has generously afforded them the ability to crawl up the food chain by learning to cultivate more sophisticated ways of eating for themselves. Many of you may abhor the eccentric proclivities I associate with the legal creature, shaking your heads in altruistic disapproval. Others of you may be restraining yourselves from bursting out of the gastronomic "closet" for fear of ending up like the town mayor in the movie *Chocolat*, engorged and satiated in the public chocolaterie window of legal gluttony. But I have a suspicion that most of you secretly, if not openly agree. In any case, I for one am unabapologetically on a fast track to elitist gluttony and I refuse to be ashamed for wanting to eat well. Here, for once, the evolutionary wheel has spun an amazing gastronomical tale of natural selection and I am queued up to claim its rewards. As I slave through the somewhat nightmarish limitations of Ann Arbor "cuisine," at least I have promises of finer dining awaiting me beyond...

Editor's note: Look in future issues of the RG for restaurant reviews by the Ulterior Epicure.





KAMISAR, from Page 5

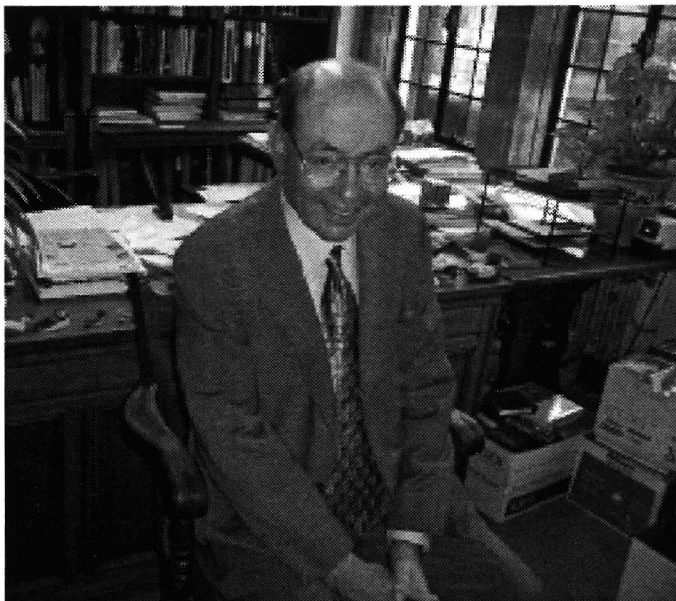
and you can't take the final exam, and I think what the hell, I haven't been doing it my whole life, so why do it now.

I don't think I'm the only one, I think other professors tell me the same thing. The preparation is just not good. I think something happens after the first year. Students sort of figure, "Well, I'm a B student and I'll always be a B student, whether I work hard or not, or a C student, and I'll always be a C student, or people are busy on law review and journals or find other things to do and who knows what. It's just one of those things. I don't know, it may be the students are prepared, but they don't want to mix it up, so they say they're unprepared. It's a sharp contrast to the first year, where people are raising their hands, and people are throwing themselves in. Other people tell me the same thing, so I don't think it's my class. It's too bad. I have to say, you always have a few good students. Five, six students can make the class. But you know, if you ask me, is "Is it clear that the students are brighter than the ones I had ten years ago, or thirty years ago?" my honest answer is no.

What about the level of participation with 2Ls? More active than say, ten, twenty, or thirty years ago? More prepared?

You know, I don't think the hiring was that big a deal. I mean, the students are more in debt, the money involved is much greater. When I first came here, summer clerkships were almost unheard of, especially between the first and second year; that was almost unheard of. And it's become a much bigger thing. And the money for getting a summer clerkship is much bigger. When I worked at Covington and Burling in the summer of 1954, I got paid \$50 a week, and that was one of the top firms in the country. I'm not complaining, because \$50 a week went further in paying my tuition than your \$2,000 a week goes now. Tuition at

Columbia Law School where I went was \$750. I'd work ten weeks and get, you know, \$500. That was two-thirds of my tuition. You guys work 10 weeks and get \$20,000, and that's not even two-thirds of your tuition. So it seems incredible, you guys make \$2,000 a week; I made \$4,000 a year at the top firm in Washington. And yet, when you compare it to the tuition, you're not any further ahead than I was.



Think about that. It's amazing. So I don't know what it is. I just think that people have their jobs, people are looking for their jobs, and they just don't prepare that much. And I suspect that students are reading nutshells, manuals and all that stuff more often than they're reading the casebook. But you know, if I were twenty-five years younger I might get up in arms about it, but I'm not going to. Let's put it that way.

Have you felt that your teaching style has changed over the last twenty-five years?

Yeah, my teaching style has changed, in a strange way. It may not be evident, but I prepare more than I used to. And I think more about the structure of the class. I was more likely to go in thirty years ago and wing it, you know, whatever comes up. But now I'm more likely to have a structure, I'm going to

have a particular question I'm going to be getting out with, and so many points I want to make, and the way I want to end the hour, so I think of each class as more of a series of one hour units, so that each class is a story of its own, whereas originally, I don't think I did that as much. You get older, and pride is a funny thing. I find myself working harder when I write articles. Maybe it's just old delusions.

When I write something on confessions, I tell myself "Well this has to be something special, because I'm supposed to be an expert on confessions." I write something and this case interests me or this doctrine interests me and I just wasn't that self-conscious about it. Many years later, I read a symposium on legal writing, and if I were beginning, at that time, I would have been completely

inhibited, because I wasn't thinking about all those things that were supposed to happen in an article. I just wrote. When I put together seven or eight articles on confessions in a book, called "Essays on Interrogation and Confessions," one of the most interesting reviewers said there was almost a complete lack of self-consciousness, I mean, the guy's writing these articles and he had no idea when he wrote the first article that someday he'd write seven or eight more of them and put them together in a collection. And that's true. I wrote about things that interested me, and I didn't know where it was going in particular. And now, I feel more pressure, to write, more pressure to be careful, to be measured, to search for the right word, and I've probably toned down my criticism from the wild guy I

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was in the 50's or 60's. That's what happens when you get older.

Would you attribute that to the amount of time you've been writing? Or is it because your name is coast-to-coast on that subject?

I remember a conversation one day in the faculty lounge. They were talking about somebody else, and the first guy says, "great article." And the second guy says, "You know, yeah, but you expect something more, from that guy." It was kind of chilling. It doesn't get easier. Again, it's pride I'm assuming I'm a popular teacher. I still want to be a popular teacher. And so I am working harder on it than I used to. But that's another story. I used to teach two sections. When I first started teaching I taught two sections of criminal law and two sections of civil procedure. I would say things that would make people laugh in the first section of criminal law and I'd write them down, in the second section, I'd repeat the same remark but nobody would laugh. It's like there's no substitute for spontaneity. People can tell when it's spontaneous and when it's not. It's the funniest thing in the world. Maybe the students told the other section during lunchtime what made them laugh. I'm funny when I don't want to be.

The thing that I miss is that there used to be students in my class that would really go after me. Really, just head on. "You're a bleeding heart, what about all these people who are dying?" It would work me up, and I think I'm really at my best mixing it up with students. But people don't do that anymore. I don't know whether they just figure "well, this guy knows too much" or "this guy's been around the block too much" but I kind of miss it. I try to bait them, I have a former police officer in my class right now, and I try to bait him all the time.

What part of the job do you enjoy more, the writing and research, or the teaching and taking on students on your feet?

It's different, it's like two different kinds of things. It's like asking somebody "do you enjoy catching a baseball while going toward the fence with the bases loaded, or do you enjoy hitting a double?" I enjoy both aspects of it. Sometimes I'm in the middle of something and I say "oops, I have to prepare for class now" or "I have a class in five minutes" and I wish I could finish the thought had, but once I'm in the classroom I get wound up and so forth. So I enjoy that part of it, but I must say that I wouldn't be in this thing if I just did the teaching; the writing is important.

"I try to bait them [students], I have a former police officer in my class right now, and I try to bait him all the time."

What about practicing law?

There are some professors that haven't really practiced much, and that's ok in many respects. Jerry Israel never practiced law but he was involved in consulting later and wrote great things. But I do think that you lose something when you don't practice. And one of the things you lose is that you don't appreciate what you have as a professor. I only handled one criminal procedure case in my life as court appointed counsel, because I was just working at a big firm.

And in that case I ran into a problem I didn't realize it until about a day before the argument. I had five or six hours to do research and all of the cases were against me, and I was just helpless. If the prosecutor brought up that point, I didn't

have anything to say. I didn't have enough time to think it through and find anything. Actually, it was a case where my client was arrested illegally and taken to the police station where he could be searched more thoroughly and he had capsules, cocaine, in a cigarette package which he threw on the floor of the police station. And there's a cop behind him who saw him do it. And he said, "What's that?" And my client says, "You've got me, its cocaine, its drugs, you've got me." I focused on how to get that damned thing thrown out in the face of an argument that he abandoned it. I successfully argued on appeal that the illegal search tainted the throwing away. In sort of a way if the police officer had just approached him the police would not have done anything wrong. The point was, that the police had arrested him illegally already, it was clearly an illegal arrest; they had nothing to go on really. So I argued that the throwing away was the fruit of the illegal arrest. The problem was, the day before the oral argument, it just struck me, we weren't on appeal now, it just struck me "what if the government argues 'ok the drug capsules are inadmissible but the statement "you got me, its drugs, is admissible" and, believe it or not, this was 1956 or 1957 and I checked the law hurriedly, and all the cases were against me, all it said was "the illegality of the arrest has no bearing on statements. The statements are voluntary, they come in. the illegality of the arrest is irrelevant," I thought that was wrong, I thought that if the illegality of the arrest taints the search of his pocket and means they can't use the physical evidence they find, that's tainted by the illegal arrest, why shouldn't the statements be tainted by the illegal arrest? But all of the law was against me; I just almost panicked. Fortunately the government never made that argument. Never separated the statement "you've got me its drugs" from the drugs.

Did that experience have an impact on your academic career?

Years later, I wrote an article, probably worked on it for six or seven months,

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basically on that point. And I read everything, I had thought about it, and I found unpublished opinions I did all sorts of things and I finally wrote an article I think in 1961, long article, arguing essentially that the courts ought to change the law and say that "even though a statement is voluntary or spontaneous if it was preceded by illegal arrest it should be thrown out as fruit of the illegal arrest, just the way physical evidence is." All the law was against me, going back, I went through every edition of Wigmore, through every edition of Greenleaf, 16 editions of Greenleaf, but that statement appeared all the way back to the early 1800s. And incredibly there was a case on this, two years later, called *Wong Sun*, it's a famous case, in that case, the Court held, in an opinion by Brennan, that "why should there be a separate rule for statements tainted after an illegal arrest and physical evidence found as a result of a search of someone's pocket tainted by an illegal arrest? They should be treated the same, they should both be thrown out," and he cited my article. That's what you live for, something like that.

Earlier you used a sports analogy, which many of your students would notice you tend to do in class. Do you have a certain penchant for sports?

I was sports editor of my college newspaper. I love sports. Strangely enough, the only sport I knew when I grew up was baseball. Because when you're in New York City you don't have college football, college basketball came later, when I was a kid you didn't have college basketball. All I knew was baseball; football was like semi-pro, like volleyball is today. You could buy a franchise, an NFL franchise for like \$1500, I'm serious. I tried out for the sports desk, and they told me everything was taken except track and field. I didn't know a damned thing about track and field. But I learned track and field. I loved track and field. I wrote all about the discus throw and the shot put and the pole vault and the javelin throw. I became a nut about track and field. And then my kid became a tournament tennis player so I became a

nut on tennis. I love sports and I still think that, and I will say to my dying day, every Michigan coach, from Bo Schembechler to Lloyd Carr is a lousy game day coach. They're great recruiters, but they never get what they should out of their players. Their success is based largely on the great athletes they recruit. I can call up any game, I can keep them off balance; they're just too predictable. I had a sports column it was called "The Yale Key to Sports" and I had to write the column three times a week. And I really think that helped me a lot. It helped me become a good writer. You had to write a beginning and an ending and organize a theme three times a week. It helped me write exams in law school. It would help me write op-ed pieces, I've written a lot of op-ed pieces. Over the years, probably a hundred. I always start out with the New York Times, when they turn me down I go to the Washington Post, when they turn me down I go to the Los Angeles Times. I've written a lot for the LA Times. If they kept turning me down I'd go to the Detroit News or the National Law Journal or Legal Times. But I've written over a hundred. Maybe twenty-five to the Los Angeles Times, maybe ten to the New York Times. And I think that I can write op-ed pieces pretty easily because I was a sports writer. When I write an op-ed piece, I'm almost always feeding off an article. I've done the research, I've spent six months, eight months on an article when a case comes up, some issue comes up I think well hell, I could just go back and re-read my article take out some little piece and have 800 words. I almost never do new research for an op-ed piece. And I think, frankly, professors should do more of that. I think the payoff is big. I've sent reprints of articles to hundreds of people, and then something comes up, and I'll write an op-ed piece that was really based on one of my articles, and then 10 or 15 people who should have read the reprints say it's "a great piece" and make it perfectly clear from the congratulations that they never read a page of the article I sent them. So maybe 50 people read reprints. I only read them when I have to, when I'm revising a casebook or I'm writing an article and it is on my subject. I get so many reprints, it's unbelievable. Literally, I get about 45

a month. So I just put them in a big pile and I get around to them when I can. But people read op-ed pieces. I just think there is too much law review writing for each other and not enough for the public.

Are You a Yankees fan?

NO! I'm not a Yankees fan. I'm a Giants fan. I don't know why, I grew up in the Bronx, I should be a Yankees fan, but I'm not, I'm a Giants fan. I never liked the Yankees. How can you like the Yankees? It's like liking General Motors, although GM is not what it used to be, I should revise that, it is like liking Toyota. To tell you the truth, I don't watch baseball anymore, I watched the Cubs and the Red Sox, hoping that they would win for a change, but I lost interest when they both lost. Aside from something special like the Cubs or the Red Sox, I haven't watched baseball for years. The reason is, I don't know the names of the players anymore. I remember one year Jack Morris was a pitcher for the Detroit Tigers, and the next four years he pitched for four different teams. How can you possibly get involved in an organization where the players keep moving every year? When I grew up Mel Ott and Carl Hubbell played for the Giants forever, and then Willie Mays played for the Giants forever, but the notion that Willie Mays play for the Giants one year and then the Yankees the next year, and the Dodgers the next year, how can you have any loyalty if the players don't? I think that's really hurt baseball a lot. And I also think that it's too slow a game. I didn't think that until I watched football or basketball. But it's just too slow. I'm not going to spend four hours watching some pitcher scratch his butt or fix his cap or some batter spit and put more dirt on his hands, I mean come on. You get about one minute of action for every thirty minutes. Baseball was my first love, but I have lost interest in it.

Have you ever had any run-ins with the cops?

I've been stopped a few times for speeding, stuff like that, nothing other

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than that. I remember one time, the first year we had indoor tennis, I was a big tennis player, I was playing indoors and so I would just put on my shorts and a jacket and tennis shoes so I could just run right out of the car and into the tennis courts rather than change. So I am driving along about 5 degrees below zero and the cop stops me for speeding and makes me get out of the car and there I am in my shorts just shivering. The cop knew who I was, he said, "I once went to a lecture you gave to some police officers, and you should be more careful because we don't want to lose you because you're so valuable" and he was just keeping me out there shivering and I think it was just one big joke. I was partly an icicle when I got back in there.

And I tell this story in my class, and it's true, about the time I asked this cop "Am I under arrest?" and I'll never forget it because I think I'm first guy this guy ever met who asked "Am I under arrest?" It was perfectly clear that he didn't know. He didn't know what to say. He was getting very frustrated and very angry. He was getting so angry that I decided I had better cool it. So I retreated. And the funny thing about it is that I was reading an article the night before about what is an arrest and so forth. It isn't that simple, especially back in those days, back in the 50s or the early 60s where people didn't quite know what an arrest was. They thought unless they booked you, you weren't arrested. And in fact I had been arrested. This guy told me I hadn't been arrested so I said I'd leave and he said, "If you leave I will arrest you." So I said, "Then I'm arrested." He was getting so red in the face, so mad that I decided to cool it. He probably was shocked that anybody would ask him a question like that. One time I taught a bunch of police officers in Minnesota in the summer. And it was getting pretty rough and one day I called on one police officer, these are my students in a way, This guy just sort of laid out all the speeding tickets I had, and my whole traffic background I had. And it kind of annoyed me. Because first of all he had no right to do that and he shouldn't have had any access to it. But that's just the way the cops are. I'll never

to prove? So I've been caught speeding a few times, what's that got to do with anything else?" But it kind of annoyed me the way police officers do that.

So do you have it in for the cops?

I'm not against cops per se, I'm against authority. I just don't like authority. My mother was very authoritarian. I fought her all my life. In fact, I practiced on her. When she got older she used to tell me that I would do it when I was ten years old and "you would make all these speeches about how I was unfair" and she's right, I practiced on her. I sometimes persuaded her that she was being unfair and unjust and got her to change her position. It was a great accomplishment, so I owe her that. She brought out the sense of injustice in me.

**"I'm not against
cops per se, I'm
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I just don't like
authority. My
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People get way with so much because the people they are dealing with don't know what to do. I have a very low threshold. Years ago they would say, "Thanks for not smoking." But I'd say wait a minute, I am smoking. Days when I can smoke a pipe I'm going to smoke. Don't say, "Thanks for not smoking." I would go nuts when you're waiting two or three hours on a plane and the captain comes on and he says, "Thanks for being so patient." I'd say, "I'm not being

patient!" It's funny how people do this. No one knows how to react.

I remember one time; this is a true story. These carpets (in the professors' offices) are paid for by a special fund, the Wilson fund. And one day, many years ago, we were told we were to get carpeting and drapes, turns out there was a University interior decorator and she came by to each professor, about 1979, and said, "The rest of the University is demoralized by the law school, it has so much money, and the offices are so much bigger than the other offices. People teaching economics or political science know the law school is just rolling in money and so I think it would be a good idea if you didn't have wall-to-wall carpeting and just had area rugs, and really think it would be a good idea if you didn't have full drapes, just half drapes that don't close all the way" and she's going on and on like this, and so I finally say, "Are you asking me or are you telling me?" She said, "What do you mean?" I said, "It sounds like your asking me, but that I have a choice. Do I have a choice?" And she says, "Yes." So I said, "I want wall-to-wall carpeting and I want full drapes, the hell with it." She left the room in tears and went to the dean. Then word got out that I got wall-to-wall carpeting and a bunch of other faculty changed their minds and asked for the same thing. That shows you what a bastard I am.

Any last thoughts you would like to share with the students?


You think it will never end. It just goes so fast. I remember my first few classes very well. But between 1968 and 1990, it's like a blur. You feel like the same guy you were when you were twenty-eight or thirty-eight. I probably caused the deans more grief than most people. I've been treated very well. If I had it to do again, I'd do the same thing.





There ARE Republicans at the University of Michigan

By Matt Nolan

 n a campus as liberal as the University of Michigan it is generally assumed, I think, that Republicans who are willing to "go public" are the extreme right-wing, Rush Limbaugh listening (pre-pain killers), racist, sexist, intolerant, stubborn, small-town, ignorant, "typical" (sense the hyper-sarcasm?) Republicans. We all know that stereotype is out there, and in fact many of you probably have deliberately avoided associating with Republican organizations because you did not want to suffer the consequences of associating yourself with those preconceived notions.

I'm one of you. When I was the president of the uber-political student government here at Michigan, I ran on a platform of "student issues rather than politics" such as getting a fall break for the undergrads, extending CCRB hours, and keeping Wolverine Access up until 2 a.m. Despite being a Republican I was actually the main target of the conservative paper here on campus, the Michigan Review, for about a year and a half – for not over-politicizing the job I just did not see the need to politicize.

Not every Republican wants to force you to support religious school vouchers, take away social programs, prevent abortions, or start wars every 2 months. Granted, some of us do, but so do some Democrats. What link all Republicans are basic beliefs in *smaller government, lower taxes, individual responsibility, and faith in the transformative value of hard work.*

If you think you fit this category of Republican, or are interested in finding out if you do, then there's a new student organization on campus that you need to check out. This Thursday at 12:20pm in Hutchins 150 the newly formed University of Michigan chapter of the Republican National Lawyers Association (RNLA) will be holding their Fall Mass Meeting.

The goal of the organization is primarily to serve as a resource to all students who are interested in politics and think that they may, in fact, be Republicans, as well as those who are pretty sure that they are. Rather than counter-protesting every liberal rally or meeting on campus, the group plans to hold bar nights, watch debates together, bring Republican speakers to the law school, and present members with local, state, and national opportunities both to

meet Republican politicians and get involved in their campaigns.

RNLA IS NOT THE FEDERALIST SOCIETY, NOR VICE VERSA. The goal of the Federalist Society is to foster debate about the meaning and interpretation of the Constitution, as well as the role judges play in interpreting it and the law. RNLA plans to serve as a hub for Republicans in the law school who are either looking for ways to get politically involved, stay on top of the issues, or have a group of Republican friends to hang out with – leave the constitutional issues to the Federalists, give us Arnold v. Davis!

If you're Republican and you want to be politically involved either now or in the future, check out the RNLA. Campaign opportunities, resources, and great Republican speakers coming to the law school are just some of the benefits. More information can be found at www.rnla.org, and questions can be answered by yours truly at rnla.chair@umich.edu.

Republicans who aren't defiant or militant at the University of Michigan? Only about half the enrollment, baby...



Planning an Event?
Don't Forget Us
Send Your
Announcements
to rg@umich.edu

Criminal Law Society's
Student Career Panel

Tuesday, November 4, 12:15-
1:20 p.m.
Room 218 HH

Learn from current 2Ls and 3Ls
with first hand summer
experience about internships in
criminal law!
Pizza and Pop Provided!

Outside The Box:
The Job Search
Beyond OCI

Thursday,
Nov. 6
12:35 p.m.
218 HH

**DEAN'S, from Page 4**

said, could confuse the issue if it were to join in the suit.

"The legal theory of the lawsuit is geared towards private law schools," Caminker said. But, he added, "We haven't made a final decision yet."

Caminker said that he has meetings planned in the upcoming weeks with individuals involved in the FAIR suit and Michigan students. "I want to wait and see what the students and the participants have to say about it," he said.

Caminker added that if the FAIR lawsuit succeeded, it was likely that the Solomon Amendment would not be enforced towards any school, public or private.

Caminker also addressed a student's concerns with the Placement and Career Services office. Caminker asked students to bring issues they may have with those offices to their respective administrators, or, if they feel uncomfortable, to come directly to him.

Caminker also discussed plans for a new building, which is in the design phase and in need of funding. "We're looking for money," he said.

A student inquired about updates in the law school sexual harassment policy, and Caminker noted that changes were made over the summer and are reflected in new student handbooks.

The changes can to the student handbook can be viewed online at <http://www.law.umich.edu/currentstudents/studentservices/handbook/index.htm>

Outlaws will present a speech by Kent Greenfield, President of FAIR, on Tuesday, October 28 at 12:30 in room 150.

**CEDAR, from Page 4**

the exit and gave me an affectionate, yet frustrated, growl. Looking back, maybe all he wanted was a hug.

The rest of my night included enjoying the typical attractions of the park: Millennium Force with its 300+ foot drop and the Iron Dragon with its mild but respectable twists and turns. Even with my werewolf-induced euphoria, I still didn't have the guts to try the Dragster. Maybe next time.

Perhaps it was the hard lemonade. Perhaps it was the abused law school mind. Perhaps it was the dry ice of the fog machines. For whatever reason, the ferocious beasts of Werewolf Canyon made the two-hour drive to Ohio (who knew I'd ever find reason to go *there*?) well-worth it.

**FINANCIAL, from Page 5****Turn in Documents Well Before Deadlines**

Close to deadlines, FAO employees are swamped with paper and thus more likely to misplace a document.

Follow the Five-Year Rule

The FAO does not require parental tax returns for anyone who has been independent five or more years. Do not assume that just because your lenders ask that the FAO wants your parents' data too. FAO employees might not have time to check for you whether this information is needed.

**STATE, from Page 8**

As a dutiful big brother, an appropriate response is to smile and pat Sparty on the head, while saying, "ok, bro . . . we'll see." After a while, though, and after the kid brother acts up a bit too much, retaliation is necessary to put him back in his place and remind him who the older, better, wiser, and stronger sibling is. Retaliation comes this Saturday.

I wholeheartedly feel that at #10 (in the new Coach's Poll), MSU is the most overhyped and overrated team of the year, even more than Northern Illinois, Kansas State, Tennessee, Alabama, or Virginia Tech. State will be lucky to get one win in their next four games, and that one win will NOT be against Michigan, OSU, or Wisconsin...I think they should be jumping for joy if they can pull off the win against Penn State! Granted, MSU is better than we all expected in John L. Smith's first year – but they are not Big Ten contender caliber yet, and the next month will show that. The race for the Big Ten title is closer and more intense this year than any other conference championship race in the nation, evidenced by two consecutive BCS Spotlight games and ESPN Gameday's presence at last week's Purdue v. Wisconsin game. In a battle year like this, MSU should not even be named with the likes of the big dogs who actually have a shot at victory.

So to summarize: Michigan is back to looking like a Rose Bowl team, MSU is overrated but barking loudly just as they were during the Saban era, and these things are likely to combine to make November almost as difficult as October. True, baseball is done now – but I have to read those silly columns and "updates" about the Football team again. Go Blue!



Going to an event?
Check the docket on our door at
116 Legal Research and sign up!



Winter 2003 Grade Curves

Grade Summary - Part

Winter 2003

| Grade Summary - Part | | | Winter 2003 | | | | Number receiving each grade | | | | | | | | | | | | | | |
|----------------------|-----------------------------------|-------------------------------------|-------------|-----|-----|-----|-----------------------------|-----|-----|-----|-----|-----|-----|-----|---|----|----|---------------|--|--|--|
| Course/ Section | Professor | Course Name | 4.3 | 4.0 | 3.7 | 3.3 | 3.0 | 2.7 | 2.3 | 2.0 | 1.7 | 1.3 | 1.0 | 0.0 | I | P | S | Class Size | | | |
| 510/001 | Wu, Frank Hun-Young | Civil Procedure | A+ | A | A- | B+ | B | B- | C+ | C | C- | D+ | D | E | | | | | | | |
| 520/001 | Frier, Bruce W | Contracts | 1 | 9 | 13 | 30 | 17 | 11 | 3 | | | | | | 1 | | | 86 | | | |
| 520/002 | Hammer, Peter J | Contracts | 1 | 10 | 16 | 29 | 19 | 7 | 2 | 4 | | | 1 | | 1 | | | 90 | | | |
| 530/001 | West, Mark D | Criminal Law | 2 | 10 | 15 | 26 | 25 | 10 | 2 | | | | | | 1 | | | 91 | | | |
| 540/001 | Friedman, Richard D | Intro to Constitutional Law | | 7 | 18 | 28 | 21 | 11 | 2 | 1 | | | | | | | | 88 | | | |
| 540/002 | Van Alstyne, William | Intro to Constitutional Law | 1 | 8 | 14 | 24 | 20 | 15 | 2 | | | | | | | 1 | | 88 | | | |
| 540/003 | Primus, Richard A | Intro to Constitutional Law | 3 | 8 | 11 | 22 | 23 | 8 | 7 | 5 | 1 | | | | | | | 88 | | | |
| 560/001 | Dugan, Hanoch | Property | 1 | 7 | 15 | 27 | 22 | 9 | 6 | | 2 | | | | 1 | 1 | | 91 | | | |
| 560/002 | Krier, James F | Property | 1 | 8 | 15 | 27 | 19 | 5 | 5 | 2 | 3 | | | | | | | 83 | | | |
| 560/003 | Simpson, Alfred W B | Property | 1 | 7 | 15 | 32 | 24 | 5 | 1 | 2 | | | | | 1 | | | 88 | | | |
| 601/001 | Croley, Steven P | Administrative Law | 2 | 6 | 15 | 26 | 27 | 12 | 4 | | | | | | | | | 92 | | | |
| 604/001 | Kauper, Thomas E | Advanced Antitrust | | 3 | 11 | 25 | 16 | 9 | | | | | | | | 63 | | 127 | | | |
| 606/001 | Avi-Yonah, Reuven S | Transnational Law | 1 | 3 | 1 | 3 | 5 | | 1 | | | | | | | 4 | 1 | 19 | | | |
| 606/002 | Samuels, Joel Hassman | Transnational Law | 1 | 6 | 12 | 24 | 17 | 9 | 5 | 2 | | | | | 2 | 6 | | 86 | | | |
| 606/003 | Barr, Michael S | Transnational Law | | 4 | 16 | 30 | 19 | 9 | 4 | 2 | | | | | | 23 | | 108 | | | |
| 606/004 | Dickinson, Timothy L | Transnational Law | 3 | 6 | 17 | 26 | 20 | 8 | 2 | 1 | | | | | | 9 | | 92 | | | |
| 608/001 | Leary, Margaret A | Advanced Legal Research | 1 | 3 | 8 | 1 | 4 | 1 | 2 | | | | | | | 9 | | 29 | | | |
| 612/001 | Riskin, Leonard L | Alt Dispute Resolution | 2 | 5 | 11 | 23 | 17 | 11 | 2 | 2 | | | | | | 12 | | 85 | | | |
| 613/001 | White, James J | Payment Systems | 2 | 3 | 12 | 3 | 2 | 1 | 1 | | | | | | | 2 | | 26 | | | |
| 616/001 | Miller, William I | Bloodfeuds | 1 | 3 | 8 | 12 | 7 | 5 | 1 | | 2 | | 1 | | | 23 | | 64 | | | |
| 618/001 | Huiggins, Kyrion James | Death Penalty & Habeas Corpus | | 6 | 4 | 16 | 9 | 4 | | | | | | | | 7 | | 46 | | | |
| 635/001 | Fox, Merritt B | Corporate Finance | 1 | 10 | 5 | 4 | 7 | 6 | 3 | 1 | 1 | | | | | 31 | | 70 | | | |
| 637/001 | Rhodes, Steven W | Bankruptcy | | 7 | 10 | 11 | 10 | 3 | 4 | 1 | | 1 | | | | 38 | | 87 | | | |
| 643/001 | Huiggins, Kyrion James | Crim Pro: Bail to Post Con Rev | | 4 | 6 | 9 | 9 | 3 | 3 | 1 | | | | | | 11 | | 47 | | | |
| 645/001 | Gross, Samuel R | Criminal Procedure Survey | 1 | 4 | 6 | 10 | 11 | 4 | 2 | | 1 | | | | 1 | 8 | | 48 | | | |
| 656/001 | Simpson, Alfred W B | English Legal History | 1 | 7 | 7 | 18 | 17 | 4 | 1 | 1 | 1 | | | | | 8 | | 65 | | | |
| 657/001 | Cao, Lan | Enterprise Organization | 2 | 3 | 6 | 10 | 6 | 3 | 1 | | | | | | | 11 | | 42 | | | |
| 657/002 | Vining, Joseph | Enterprise Organization | 2 | 5 | 10 | 22 | 15 | 9 | 5 | 3 | | | | | | | | 72 | | | |
| 660/001 | Cao, Lan | Intern'l Business Transactions | 2 | 5 | 11 | 8 | 11 | 7 | 1 | 4 | | | | | | 20 | 1 | 70 | | | |
| 664/001 | Halberstam, Daniel H | European Legal Order | 2 | 3 | 7 | 20 | 15 | 7 | 4 | 1 | | | | | | | | 61 | | | |
| 669/001 | Clark, Sherman J | Evidence | 1 | 1 | 1 | 1 | 1 | | | | | | | | 7 | 5 | | 17 | | | |
| 673/001 | Crain, Marion | Family Law | 1 | 12 | 16 | 32 | 28 | 12 | 5 | 1 | | | | | | 19 | | 126 | | | |
| 676/001 | Moscow, Cyril | Bus Ping for Pub Held Corps | | 7 | 9 | 12 | 7 | 8 | 3 | 3 | | | | | | 9 | | 60 | | | |
| 679/001 | Mendelson, Nina A | Environmental Law | | 3 | 5 | 9 | 3 | 4 | | | | | | | | 2 | | 27 | | | |
| 681/001 | Herzog, Donald Jay | First Amendment | | 4 | 7 | 7 | 5 | 7 | 1 | | | | | | | 4 | | 35 | | | |
| 683/001 | Rosenbaum, Mark D | Fourteenth Amendment | 1 | 11 | 16 | 13 | 8 | 7 | 3 | 1 | 3 | 2 | 1 | | | 10 | | 76 | | | |
| 684/001 | Payton, Sallyanne | Health Law | 2 | 3 | 13 | 15 | 13 | 5 | 1 | 1 | | | | | | 19 | | 74 | | | |
| 685/001 | Kvisiotis, Dino | International Criminal Justice | 1 | 3 | 2 | 2 | 2 | | 1 | | | | | | | 1 | 4 | 16 | | | |
| 686/001 | Getches, David Harding | International Criminal Justice | 2 | 2 | 5 | 3 | 2 | | | | 1 | | | | | 5 | | 21 | | | |
| 691/001 | Avi-Yonah, Reuven S | American Indian Law | 1 | 3 | 3 | 8 | 7 | 4 | | | 1 | | | | | 5 | 1 | 33 | | | |
| 693/001 | Reimann, Mathias W | International Tax | 2 | 4 | 4 | 1 | | | | | | | | | | | | 12 | | | |
| 693/002 | Barr, Michael S | Jurisdiction and Choice Of Law | 1 | 11 | 22 | 42 | 33 | 16 | 7 | 2 | | | | | | 25 | | 159 | | | |
| 694/001 | Reimann, Mathias W. Samuels, Joel | Jurisdiction and Choice Of Law | 1 | 7 | 11 | 18 | 14 | 2 | | | | | | | | 19 | | 72 | | | |
| 695/001 | Regan, Donald H | International Litigation | | 4 | 1 | 3 | 2 | 1 | | | | | | | | 4 | | 15 | | | |
| 699/001 | Crain, Marion | International Trade Law | 1 | 4 | 8 | 9 | 5 | 3 | 1 | | | | | | | 6 | | 39 | | | |
| 700/001 | West, Mark D | Labor Law | 1 | 8 | 10 | 22 | 13 | 9 | 7 | 3 | 1 | | | | | 7 | | 81 | | | |
| 714/001 | Soper, E. Philip | Japanese Law | 1 | 5 | 11 | 10 | 5 | 1 | 1 | | | | | | | 1 | 2 | 37 | | | |
| 718/001 | Niehoff, Leonard Marvin | The Nature of Law | | 2 | 1 | 2 | 2 | | | | | | | | | 1 | | 10 | | | |
| 719/001 | Wu, Frank Hua-Young | Legal Prof and Legal Ethics | 1 | 4 | 6 | 8 | 12 | 5 | 3 | 1 | | | | | | 28 | | 69 | | | |
| 727/001 | Eisenberg, Rebecca S | Asian Americans and the Law | | 1 | 1 | | | | | | | | | | | 10 | | 12 | | | |
| 733/001 | Ellsworth, Phoebe C | Patent Law | | 7 | 9 | 7 | 10 | 6 | 3 | 1 | | | | | 1 | 11 | | 55 | | | |
| 737/001 | Alger, Jonathan R | Psychology of Litigation | 1 | 10 | 17 | 27 | 21 | 9 | 3 | 1 | | | | | | 1 | 17 | 108 | | | |
| 741/001 | White, James Boyd | Higher Education Law | | 7 | 9 | 10 | 1 | 1 | | | | | | | | 2 | | 30 | | | |
| 742/001 | Kamir, Orit | Rhetoric, Law and Culture | | 2 | 9 | 8 | 7 | 2 | 1 | 1 | | | | | | | | 30 | | | |
| 747/001 | Logue, Kyle D | Law & Film: Women as Victim & Villn | 1 | 3 | 3 | 8 | 6 | 1 | | 2 | | | | | | | 5 | 29 | | | |
| 749/001 | Hasen, David Milton | Taxation of Individual Income | 1 | 8 | 9 | 26 | 13 | 7 | 2 | 2 | 1 | | | | | 50 | | 120 | | | |
| 755/001 | Waggoner, Lawrence W | Corporate Taxation | 1 | 2 | 2 | 6 | 6 | 1 | 1 | | | | | | | 17 | | 37 | | | |
| 757/001 | Waggoner, Lawrence W | Trusts and Estates I | | 9 | 6 | 21 | 19 | 5 | 6 | 1 | | | | | | 18 | | 85 | | | |
| 766/001 | Hellmer, Elena V | Trusts and Estates II | 1 | 2 | 4 | 3 | 3 | 1 | 1 | | | | | | | 2 | | 17 | | | |
| 779/001 | Hills, Roderick M | Int'l Commercial Arbitration | 1 | 3 | 5 | 5 | | | | 1 | | | | | | 3 | | 18 | | | |
| 792/001 | Clark, Sherman J | Education Law | | 3 | 5 | 10 | 6 | 3 | | | | | | | 7 | 13 | | 48 | | | |
| 794/001 | Tonner, Grace C | Sports Law | 2 | 8 | 13 | 31 | 16 | 9 | 6 | 3 | 2 | | | | | 17 | | 108 | | | |
| | | Senior Judge Seminar II | | 12 | | | | | | | | | | | | | | 12 | | | |

The following classes are not

Seminars and Research classes

Clinical Classes

Classes in which no student received a regular grade (A+ through

E)

Totals 61 345 555 925 704 326 130 61 21 3 3 2 36 617 3 3817

10/23/2003

Winter 2003 Grade Curves

Grade Summary - Part 2

Winter 2003

| Course/ Section | Professor | Course Name | No. Graded | Mean Grade | Within Range? | Deviation from Grade Guidelines | | | | | | | | | | C |
|--------------------|-------------------------|---------------------------------------|---------------|---------------|------------------|---------------------------------|----|----|----|----|----|----|---|--|--|---|
| | | | | | | A+ | A | A- | B+ | B | B- | C+ | C | | | |
| 510/001 | Wu, Frank Hua-Young | Civil Procedure | 85 | 3.251 | high | | | 1 | 1 | -1 | 1 | -3 | | | | |
| 520/001 | Frier, Bruce W | Contracts | 89 | 3.243 | | | | 1 | | | | -2 | | | | |
| 520/002 | Hannner, Peter J | Contracts | 90 | 3.294 | high | | | | | | | -2 | | | | |
| 530/001 | West, Mark D | Criminal Law | 88 | 3.253 | high | | 3 | | | | -2 | | | | | |
| 540/001 | Friedman, Richard D | Intro to Constitutional Law | 85 | 3.228 | | | | | | 5 | -2 | | | | | |
| 540/002 | Van Alstyne, William | Intro to Constitutional Law | 88 | 3.143 | | | | -1 | | | | 1 | | | | |
| 540/003 | Primus, Richard A | Intro to Constitutional Law | 89 | 3.195 | | | | | | | | | | | | |
| 560/001 | Dagan, Hanoch | Property | 83 | 3.188 | | | | | | | -2 | | | | | |
| 560/002 | Krier, James E | Property | 87 | 3.278 | high | | | 2 | | | -2 | -3 | | | | |
| 560/003 | Simpson, Alfred W B | Property | 92 | 3.222 | | | | | | | 1 | -1 | | | | |
| 601/001 | Croley, Steven P | Administrative Law | 64 | 3.242 | | -1 | | 3 | | | 1 | -3 | | | | |
| 604/001 | Kauper, Thomas E | Advanced Antitrust | 14 | 3.371 | high | 1 | -1 | -1 | 1 | -1 | | | | | | |
| 606/001 | Avi-Yonah, Reuven S | Transnational Law | 76 | 3.193 | | | | | | | | | | | | |
| 606/002 | Samuels, Joel Hassman | Transnational Law | 84 | 3.198 | | -2 | 2 | 1 | | | | | | | | |
| 606/003 | Barr, Michael S | Transnational Law | 85 | 3.298 | high | 1 | | 3 | | | | -2 | | | | |
| 606/004 | Dickinson, Timothy L | Transnational Law | 20 | 3.425 | high | | 1 | 5 | -4 | | -1 | | | | | |
| 608/001 | Leary, Margaret A | Advanced Legal Research | 73 | 3.212 | | | | | | | 2 | -2 | | | | |
| 612/001 | Riskin, Leonard L | ADR Dispute Resolution | 24 | 3.579 | high | 1 | | 8 | -3 | -3 | -1 | | | | | |
| 613/001 | White, James J | Payment Systems | 40 | 3.167 | | | | 1 | | -1 | | -1 | | | | |
| 616/001 | Miller, William I | Bloodfeuds | 39 | 3.317 | high | | 2 | -1 | 3 | | | -2 | | | | |
| 618/001 | Huigens, Kyrion James | Death Penalty & Habeas Corpus | 38 | 3.257 | high | | 6 | | -6 | -1 | 1 | | | | | |
| 635/001 | Fox, Merritt B | Corporate Finance | 48 | 3.164 | | 2 | 2 | -1 | | | -1 | | | | | |
| 637/001 | Rhodes, Steven W | Bankruptcy | 35 | 3.197 | | | | | | | | | | | | |
| 643/001 | Huigens, Kyrion James | Crim Pro: Bail to Post Con Rev | 39 | 3.220 | | | | | | | | | | | | |
| 645/001 | Gross, Samuel R | Criminal Procedure Survey | 57 | 3.252 | high | | 1 | | | | -1 | -2 | | | | |
| 656/001 | Simpson, Alfred W B | English Legal History | 31 | 3.361 | high | 1 | | | | -1 | | -1 | | | | |
| 657/001 | Cao, Lan | Enterprise Organization | 71 | 3.169 | | | | | | | | | | | | |
| 657/002 | Vining, Joseph | Enterprise Organization | 49 | 3.222 | | 1 | | 3 | -5 | | 1 | -1 | 2 | | | |
| 660/001 | Cao, Lan | Intern'l Business Transactions | 59 | 3.179 | | | -1 | -1 | | | | | | | | |
| 664/001 | Halberstam, Daniel H | European Legal Order | 5 | 3.460 | high | 1 | | -1 | | | | | | | | |
| 669/001 | Clark, Sherman J | Evidence | 107 | 3.243 | | | | | | | | | | | | |
| 673/001 | Crain, Marion | Family Law | 50 | 3.214 | | 1 | | -1 | | -3 | 2 | | 1 | | | |
| 676/001 | Moscow, Cyril | Bus Plng for Pub Held Corps | 24 | 3.333 | high | | | 1 | -2 | 1 | -1 | | | | | |
| 679/001 | Mendelson, Nina A | Environmental Law | 31 | 3.264 | high | | 1 | 2 | -1 | -2 | 3 | -1 | | | | |
| 681/001 | Herzog, Donald Jay | First Amendment | 66 | 3.195 | | 4 | 5 | -4 | -6 | | | | | | | |
| 683/001 | Rosenbaum, Mark D | Fourteenth Amendment | 53 | 3.296 | high | | -1 | 4 | | | | -2 | | | | |
| 684/001 | Payton, Sallyanne | Health Law | 11 | 3.509 | high | 1 | 2 | | -1 | | -1 | | | | | |
| 685/001 | Kritsiotis, Dino | International Criminal Justice | 15 | 3.513 | high | 2 | | 2 | -1 | -1 | -1 | -1 | | | | |
| 686/001 | Getches, David Harding | American Indian Law | 27 | 3.233 | | | | -1 | | | 1 | -1 | | | | |
| 691/001 | Avi-Yonah, Reuven S | International Tax | 11 | 3.881 | high | 2 | 3 | 2 | -2 | -2 | -1 | -1 | | | | |
| 693/001 | Reimann, Mathias W | Jurisdiction and Choice Of Law | 134 | 3.213 | | | | | | | | | | | | |
| 693/002 | Barr, Michael S | Jurisdiction and Choice Of Law | 53 | 3.392 | high | | 1 | 2 | | | -2 | -3 | | | | |
| 694/001 | Reimann, Mathias W | International Litigation | 11 | 3.481 | high | | 3 | | | | | -1 | | | | |
| 695/001 | Regan, Donald H | International Trade Law | 31 | 3.387 | high | | 1 | 3 | | -2 | | -1 | | | | |
| 699/001 | Crain, Marion | Labor Law | 74 | 3.148 | | | | | | -3 | | | | | | |
| 700/001 | West, Mark D | Japanese Law | 34 | 3.470 | high | | 1 | 5 | | -2 | -2 | -1 | | | | |
| 714/001 | Soper, E. Philip | The Nature of Law | 7 | 3.471 | high | | 1 | | | | -1 | | | | | |
| 718/001 | Niehoff, Leonard Marvin | Legal Prof and Legal Ethics | 40 | 3.182 | | | | | -2 | | | | | | | |
| 719/001 | Wu, Frank Hua-Young | Asian Americans and the Law | 2 | 3.850 | high | | 1 | 1 | -1 | | | | | | | |
| 727/001 | Eisenberg, Rebecca S | Patent Law | 44 | 3.170 | | | 2 | 2 | -4 | | 1 | | | | | |
| 733/001 | Ellsworth, Phoebe C | Psychology of Litigation | 89 | 3.286 | high | | | 2 | | | | -1 | | | | |
| 737/001 | Alger, Jonathan R | Higher Education Law | 28 | 3.571 | high | | 4 | 4 | | -5 | -1 | -1 | | | | |
| 741/001 | White, James Boyd | Rhetoric, Law and Culture | 30 | 3.280 | high | | | 4 | | | | -1 | | | | |
| 742/001 | Kamir, Orit | Law & Film: Women as Victim & Villain | 24 | 3.270 | high | | | | | | -1 | -1 | 1 | | | |
| 747/001 | Logue, Kyle D | Taxation of Individual Income | 69 | 3.240 | | | | | 3 | -1 | | -1 | | | | |
| 749/001 | Husen, David Milton | Corporate Taxation | 19 | 3.289 | high | | | | | | -1 | | | | | |
| 755/001 | Waggoner, Lawrence W | Trusts and Estates I | 67 | 3.191 | | | 2 | -3 | | | | | | | | |
| 757/001 | Waggoner, Lawrence W | Trusts and Estates II | 15 | 3.400 | high | 1 | | 1 | -1 | | | | | | | |
| 766/001 | Helmer, Elena V | Int'l Commercial Arbitration | 15 | 3.553 | high | 1 | 1 | 2 | | -3 | -1 | -1 | | | | |
| 779/001 | Hills, Roderick M | Education Law | 28 | 3.271 | high | | | | | | | | | | | |
| 792/001 | Clark, Sherman J | Sports Law | 90 | 3.183 | | | | | | -3 | | | | | | |
| 794/001 | Tonner, Grace C | Senior Judge Seminar II | 12 | 4.000 | high | 11 | -2 | -3 | | -3 | -1 | -1 | | | | |

Key: No. Graded - The number of students in the class receiving grades A+ through E

Mean Grade - Based on the No. Graded (rather than the Class Size)

Within range? - Based on the guidelines for Mean Grade: 3.15 minimum; 3.19 target; 3.25 maximum

Deviation from Grade Guidelines

<blank> : the number of students receiving that grade within the target range

10/23/2003



Spring/Summer 2003 Grade Curves

Grade Summary - Part

Spring/Summer

| Course/ Section | Professor | Course Name | 4.3 | 4.0 | 3.7 | 3.3 | 3.0 | 2.7 | 2.3 | 2.0 | 1.7 | 1.3 | 1.0 | 0.0 | I | P | S | Class Size |
|--------------------|----------------------|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|----|---|---------------|
| | | | A+ | A | A- | B+ | B | B- | C+ | C | C- | D+ | D | E | | | | |
| 560/001 | Dagan,Hanoch | Property | 1 | 10 | 17 | 33 | 25 | 7 | 4 | 2 | 2 | | | | 1 | | | 102 |
| 580/001 | Croley,Steven P | Torts | | 7 | 13 | 38 | 28 | 13 | 1 | | | | | | 2 | | | 102 |
| 769/001 | McCormack,Bridget M. | Litigation Ethics | | 4 | 6 | 12 | 14 | | | | | | | | | 24 | | 60 |

The following classes are not

Continued on Page 18

Totals 1 21 36 83 67 20 5 2 2 3 24 264

Grade Summary - Part 2

Spring/Summer 2003

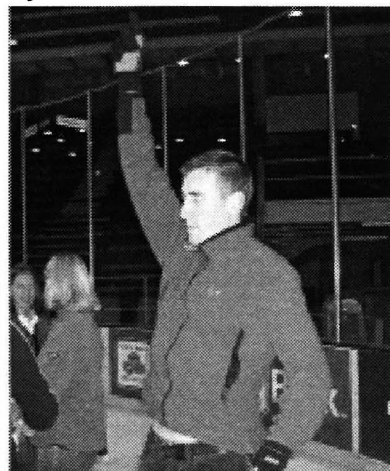
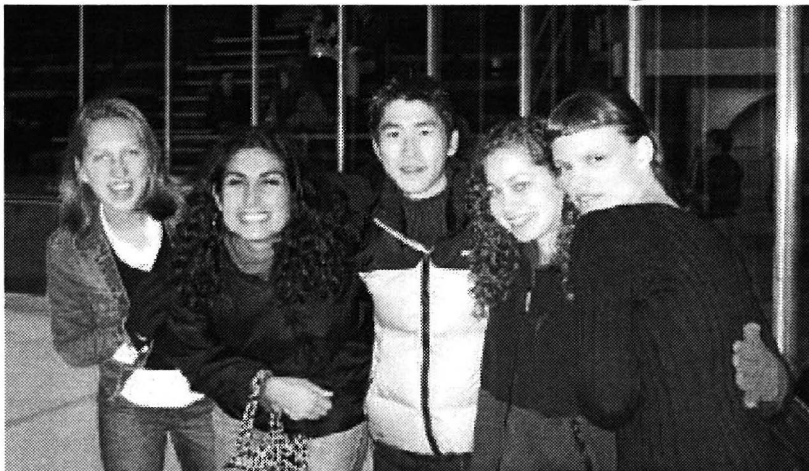
| Course/ | | | No. | Mean | Within | Deviation from Grade Guidelines | | | | | | | | | |
|---------|----------------------|-------------------|--------|-------|--------|---------------------------------|---|----|----|----|----|----|---|----|--|
| Section | Professor | Course Name | Graded | Grade | Range? | A+ | A | A- | B+ | B | B- | C+ | C | C- | |
| 560/001 | Dagan,Hanoch | Property | 101 | 3.233 | | | | | | | | | | | |
| 580/001 | Croley,Steven P | Torts | 100 | 3.229 | | | | | 4 | 1 | -4 | | | | |
| 769/001 | McCormack,Bridget M. | Litigation Ethics | 36 | 3.327 | high | | | | 4 | -3 | -2 | | | | |

Key: No. Graded - The number of students in the class receiving grades A+ through E

Mean Grade - Based on the No. Graded (rather than the Class Size)

Within range? - Based on the guidelines for Mean Grade: 3.13 minimum; 3.19 target; 3.25 maximum

1Ls Skate The Night Away at Yost



PHOTOS BY JOANEE ALNAJJAR

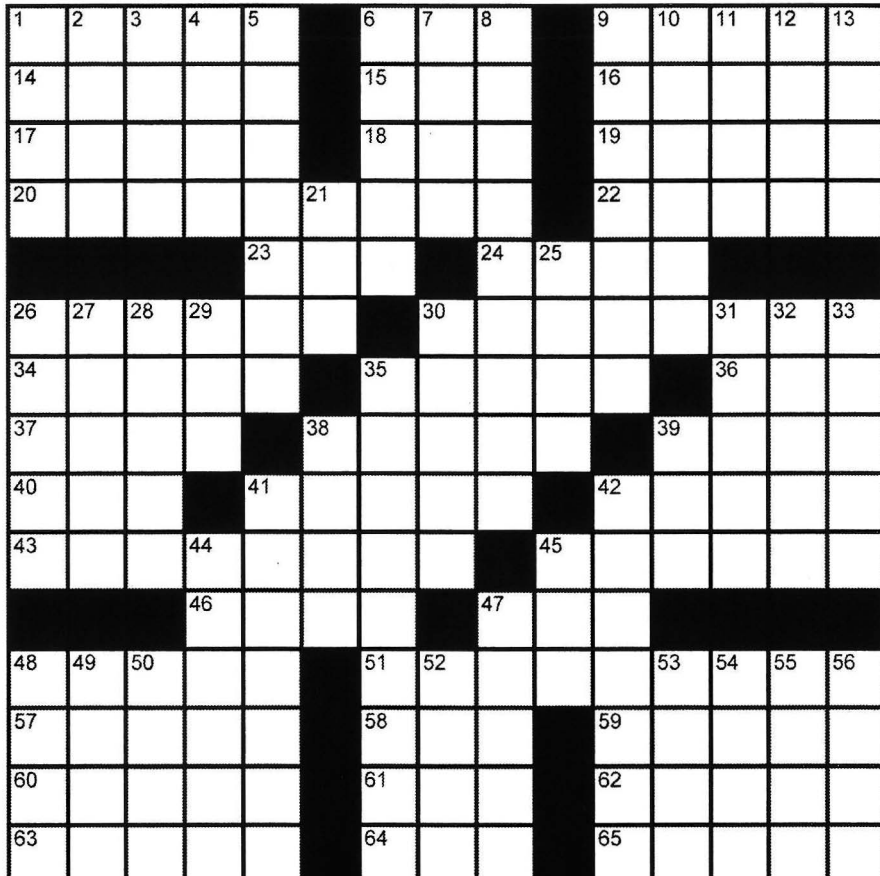
October 16, 2003

Across

1. Neck scarf
6. ___ Angeles
9. *Common Sense* author
14. Frighten
15. Amplifier
16. Rubber capital of the world
17. One who eases
18. ___ in the pod
19. Covered with frost
20. Loathsome
22. Gather
23. Lamprey
24. Metrical foot
26. Send back
30. Left in a hurry
34. Picture
35. Mile runner
36. Professional
37. Hereditary unit
38. *Time Machine* author
39. Asian country
40. Wrath
41. Rouse
42. Analyze grammatically
43. Learning disorder
45. ___ tape parade
46. Toy on a string
47. ___ leg
48. Civil Rights org.
51. Mentor
57. Gang aft ___
58. Beer
59. Avoid by cleverness
60. Started
61. Soda
62. Tiny candy
63. Lines of junction
64. Adam's girl
65. Trick or ___

Down

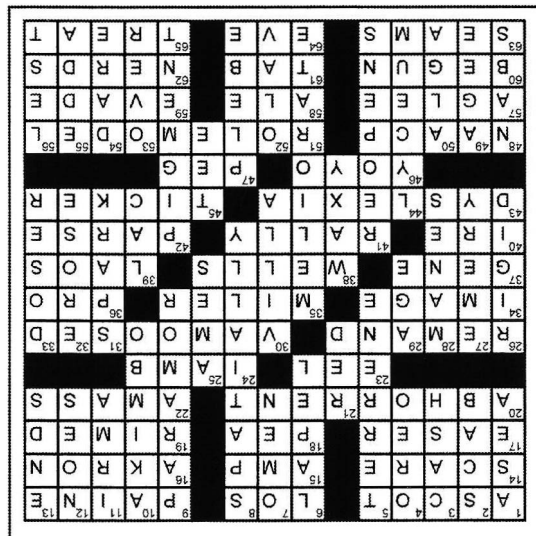
1. At sea
2. Strikebreaker
3. Currency
4. Cream-filled cookie
5. Earthly
6. Collar extension
7. Portent
8. Relating to space
9. British singer Norrie
10. Hands on hips
11. ___ Vep



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<http://www.cpwire.com>

12. Negative response
13. Outcomes
21. Communist
25. Department store
26. Stiff
27. Nail filing board
28. Roman spirits of dead
29. Get older
30. Pancho ___
31. Incandescent particle
32. Irregularly notched
33. Device for asthmatics
35. Improve
38. Covered with wax
39. Used in shellac
41. Opens again
42. Color
44. Public lecture hall
45. Golf device
47. Annapolis freshman
48. Seizes
49. Biblical fugitive
50. Seaweed
52. Musician Basoski
53. Not under
54. Triple dog ___
55. Old Norse poems
56. For fear that





Announcements

Today, Oct. 28

Kent Greenfield,
Founder and President,
Forum for Academic and
Institutional Rights (FAIR)
Professor, Boston College
Law School
discussing

FAIR v. Rumsfeld: Suing the
Department of Defense
2:30-1:30 pm
Hutchins Hall, Room 150

Wednesday, Oct. 29

Criminal Law Society
presents...
**POLICE DISCRETIONARY
POWER**
with Prof. Kim Forde-Mazrui

12:20 P.M. - 1:20 P.M.
Room 116 HH

****Lunch Provided ****

Thursday, Oct. 30

Republican
National Lawyers
Association
12:20 - 1:20
Hutchins 150
Food Provided

Thursday, Oct. 30

Semester Study Abroad:
University College, London

Information Session
4:45 P.M. - 5:45 P.M.
Room 150 HH

BLSA presents ...
**LAW STUDENT DATE
AUCTION 2003**
Meet the auctionees at
Dominick's from 6:30 to
7:30

Bidding begins at 8 P.M.
in 100 HH
Tickets: \$5/Advance
\$10/Door

Friday Oct. 31

**Annual Law School
HALLOWEEN
PARTY**
9 P.M. - Midnight
Links at Whitmore
Lake

**\$15/ticket
On Sale Now!**

Friday Oct. 31

Semester Study Abroad:
University College,
London
Drop-By Q&A Session
9:30 A.M. - 11:30 A.M.
Room 903 LR

Law & Economics Workshop:

Discounting Future Charity:
An Analysis of Foundaion
Payout Rates and Their
Regulation

Michael Klauser, Stanford

3:40 - 5:15 P.M.
236 HH

Wednesday, Nov. 5

Federalist Society
presents

Bradley Smith, Deputy
Commissioner, Federal
Election Commission

Discussion on 2nd
Amendment and Ongo-
ing D.C. lawsuit

Pizza & Soft Drink s to
be Served

Room/Time TBA